

# **OHE Student Discipline Policy**

## **2018-2019**

### **STUDENT DISCIPLINE**

The Foreman Board of Education has a responsibility to protect the health, safety, and welfare of the district's students and employees. To help maintain a safe environment conducive to high student achievement, the Board establishes policies necessary to regulate student behavior to promote an orderly school environment that is respectful of the rights of others and ensures the uniform enforcement of student discipline. Students are responsible for their conduct that occurs: at any time on the school grounds; off school grounds at a school sponsored function, activity, or event; going to and from school or a school activity.

The district's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on school discipline, the educational

environment or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to a felony or an act that would be considered a felony if committed by an adult, an assault or battery, drug law violations, or sexual misconduct of a serious nature. Any disciplinary action pursued by the district shall be in accordance with the student's appropriate due process rights.

The district's licensed personnel policy committee shall review the student discipline policies annually and may recommend changes in the policies to the Foreman School Board. The Board has the responsibility of determining whether to approve any recommended changes to student discipline policies.

The district's student discipline policies shall be distributed to each student during the first week of school each year and to new students upon their enrollment. Each student's parent or legal guardian shall sign and return to the school an acknowledgement form documenting that they have received the policies.

It is required by law that the principal or the person in charge report to the police any incidents the person has personal knowledge of or has received information leading to a reasonable belief that a person has committed or threatened to commit an act of violence or a crime involving a deadly weapon on school property or while under school supervision. If the person making the report is not the superintendent, that person shall also inform the superintendent of the incident. Additionally, the principal shall inform any school employee or other person who initially reported the incident that a report has been made to the appropriate law enforcement agency. The superintendent or designee shall inform the Board of Directors of any such report made to law enforcement.

### **DISCIPLINARY GUIDELINES**

Principals shall have both the authority and duty to take disciplinary action whenever the behavior of any student(s) materially interferes or substantially disturbs the maintenance of a proper atmosphere for learning within the classrooms or other parts of the school. Notice of the rules and regulations existing in each school shall be disseminated to students and parents in a wide variety of ways (student assemblies, public address announcements, student handbooks, etc.).

## **DEFINITIONS OF PUNISHMENT RANGES**

**Disciplinary Conference:** A meeting between the child and the principal where the child is advised that he/she has violated a school policy. The purpose of this meeting is to warn the child that if the violation occurs again, he/she will receive more severe disciplinary action.

**Detention Hall:** Detention Hall is a class to which students report to make up time for infraction of rules. Regular study materials must be used at that time. Students must study while they are in detention hall.

**Corporal Punishment:** Corporal Punishment shall be administered in the office of the principal or in such a place or places as may be designated by the principal. The Foreman School shall allow reasonable corporal punishment of unruly pupils. If such punishment is required, it shall be administered with extreme care, tact, and caution, and then only by the principal or another state-licensed staff member employed by the district designated by the principal. At no time shall corporal punishment be administered in the presence of another student.

School principals or teachers who have administered corporal punishment shall provide the child's parents or legal guardians, upon request, a written explanation of the reasons and the name of the other certified employee who was present as a witness.

The use of corporal punishment shall at all times be reasonable and proper. Consideration in this regard shall include but not be limited to the following:

- A. Age of the child
- B. Size of the child
- C. Sex of the child
- D. Ability of the child to bear the punishment
- E. Overall physical condition of the child

Corporal punishment shall not be administered in anger or with malice at any time. Parents may choose (Act 333 of 1995) an option whether their child is given corporal punishment. A written request should be on file in the principal's office signed by parent or legal guardian concerning their decision on the use of corporal punishment. **Note:** A formal hearing is not required prior to administering corporal punishment.

**In School Suspension: ISS** is a form of suspension where the student is sent to a designated area. In this area, the child is isolated from peers and is subject to rigid daily routine. Students receive credit for work completed and are not penalized for the time out of the regular classroom. Only the principal may assign students to ISS.

A student can stay in ISS fifteen (15) days during a school term. If a student commits an offense that requires being sent to ISS for a certain number of days causes the student to be in ISS the sixteenth(16) day, the student will be suspended from school one day for each day they would have spent in ISS.

### **Suspension**

Students who are not present at school cannot benefit from the educational opportunities the school environment affords. Administrators, therefore, shall strive to find ways to keep students in school as participants in the educational process. There are instances, however, the needs of the other students or the interests of the orderly learning environment require the removal of a student from school. The Board authorizes school principals or their designees to suspend students for disciplinary reasons for a period of time not to exceed ten (10) school days, including the day upon which the suspension is imposed. The suspension may be in school or out of school. Students are responsible for their conduct that occurs:

- At any time on the school grounds
- Off school grounds at a school-sponsored function, activity, or event: and
- Going to and from school or a school activity

A student may be suspended for behavior including, but not limited to that which:

1. Is in violation of school policies, rules, or regulations;
2. Substantially interferes with the safe and orderly educational environment;
3. School administrators **believe** will result in the substantial interference with the safe and orderly educational environment; and/or
4. Is insubordinate, incorrigible, violent, or involves moral turpitude.

Out-of-school suspension (OSS) shall not be used to discipline a student in kindergarten through fifth (5<sup>th</sup>) grade unless the student's behavior:

- a. a physical risk to himself or herself or to others;
- b. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus.

Out-of-school suspension shall not be used to discipline a student for skipping class, excessive absences, or other forms of truancy.

The School principal or designee shall proceed as follows in deciding whether or not to suspend a student.

- a. The student shall be given written notice or advised orally of the charges against him/her;
- b. If the student denies the charges, he/she shall be given an explanation of the evidence against him/her and be allowed to present his/her version of the facts; and

c. If the principal finds the student guilty of the misconduct, he/she may be suspended.

When possible, notice of the suspension, its duration, and any stipulations for the student's remittance to class will be given to the parent(s), legal guardian(s), or to the student if age eighteen (18) or older prior to the suspension. Such notice shall be handed to the parent(s), legal guardian(s), or to the student if age eighteen (18) or older or mailed to the last address reflected in the records of the school district.

Generally, notice and hearing should precede the student's removal from school, but if prior notice and hearing are not feasible, as where the student's presence endangers persons or property or threatens disruption of the academic process, thus justifying immediate removal from school, the necessary notice and hearing should follow as soon as practicable.

It is the parents' or legal guardians' responsibility to provide current contact information to the district which the school shall use to immediately notify the parent or legal guardian upon the suspension of a student. The notification shall be by one of the following means, listed in order of priority

- A primary call number
  - The contact may be by voice, voice mail, or text message
- An email address
- A regular first class letter to the last known mailing address

The district shall keep a log of contacts attempted and made to the parent or legal guardian.

During the period of their suspension, students serving out-of-school suspensions shall not be permitted on campus except to attend a student/parent/administrator conference.

During the period of their suspension, students serving in-school suspension shall not attend or participate in any school-sponsored activities during the imposed suspension. Suspensions initiated by the Principal or his/her designee may be appealed to the superintendent, but not to the Board.

Suspensions initiated by the superintendent may be appealed to the Board.

### **Expulsion**

The Board of Education may expel a student for a period longer than ten (10) school days for violation of the district's written discipline policies. The superintendent may make a recommendation of expulsion to the Board of Education for student conduct

- Deemed to be of such gravity that suspension would be inappropriate;
- Where the student's continued attendance at school would disrupt the orderly learning environment;  
or
- Would pose an unreasonable danger to the welfare of other students or staff.

Expulsion shall not be used to discipline a student in kindergarten through fifth (5<sup>th</sup>) grade unless the student's behavior:

- a. Poses a physical risk to himself or herself or to others;

- b. Causes a serious disruption that cannot be addressed through other means; or
- c. Is the act of bringing a firearm on school campus.

The superintendent or his designee shall give written notice to the parents or legal guardians (mailed to the address reflected on the district's records) that he/she will recommend to the Board of Education that the student be expelled for the specified length of time and state the reasons for the recommendation to expel. The notice shall give the date, hour, and place where the Board of Education will consider and dispose of the recommendation.

The hearing shall be conducted not later than ten (10) school days following the date of the notice, except that representatives of the Board and student may agree in writing to a date not conforming to this limitation.

The President of the Board, Board attorney, or other designated Board member shall preside at the hearing. The student may choose to be represented by legal counsel. Both the district administration and School Board also may be represented by legal counsel. The hearing shall be conducted in open session of the Board unless the parent, or student if age eighteen (18) or older, requests that the hearing be conducted in executive session. Any action taken by the Board shall be in open session.

During the hearing, the superintendent, or designee, or representative will present evidence, including the calling of witnesses that gave rise to the recommendation of expulsion. The student, or his/her representative, may then present evidence including statements from persons with personal knowledge of the events or circumstances relevant to the charges against the student. Formal cross-examination will not be permitted. However, any member of the Board, the superintendent, or designee, the student, or his/her representative may question anyone making a statement and/or the students. The presiding officer shall decide questions concerning the appropriateness or relevance of any questions asked during the hearing.

Except as permitted by policy 4.22, the superintendent shall recommend the expulsion of any student for a period of not less than one (1) year for possession of any firearm prohibited on school campus by law. The superintendent shall, however, have the discretion to modify the expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a weapons policy violation shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a weapon on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The superintendent and Board of Education shall complete the expulsion process of any student that was initiated because the student possessed a firearm or other prohibited weapon on school property regardless of the enrollment status of the student.

## **STUDENT CONDUCT**

**In the Classroom:** All teachers will have reasonable guidelines for conduct within their classrooms. These should be consistent with school policy and provide for the best possible atmosphere for instruction. All students should show due respect for their teachers as well as their fellow classmates.

**In the Hall/Outside:** In passing through the halls or on the sidewalk students are asked to keep to the right for safety and convenience. Passing arm-in-arm, scuffling, running, or visiting in the hallway is inconsiderate of other students and should be avoided. Students should not stop in a group or wait for friends.

**At Athletic Events:** Foreman Students pride themselves on the example of fine sportsmanship set by athletic teams. Students have the responsibility of helping to extend this example throughout the school and community.

**Assemblies:** The conduct of Foreman School Students at assemblies has, for many years been above reproach. The student body does not condone anything other than courtesy and respectful attention toward guest speakers.

## **STUDENT DISCIPLINE POLICIES**

The teachers of Foreman School are professional people who have been employed to help run the school. They are in charge of the campus as well as their classroom. They will be allowed to make decisions based on their professional knowledge on all aspects of their duties. If a teacher observes a violation of school rules by any student under the jurisdiction of the school, **the teacher's word will be final and action will be taken on that observation according to the student disciplinary policies.** The teacher's word will not be exceeded unless the situation warrants and is deemed necessary by an administrator.

A teacher may remove from class a student who has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the students in the class or with the ability of student's classmates to learn, or whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with teacher's ability to teach the student in the class or with the ability of the student's classmates to learn.

If a teacher removes a student from class the principal or his designee may place the student into another appropriate classroom, into in-school suspension, or into the district's alternative learning environment established in accordance with 6-18-508, so long as such placement is consistent with the school district's written student discipline policy, state law and federal law. If a student is removed twice during any nine week grading period, or its equivalent as determined by the Department of Education, the principal or his designee may not return the student to the teacher's class unless a conference is held for purposes of determining the cause of the problem and possible solutions with the following individuals present:

- A. The principal or his designee
- B. The teacher
- C. The school counselor (Act 1281 of 1999)

## **CODE OF STUDENT CONDUCT GRADES K-6**

The code of student conduct for grades K-6 has been developed by administrators, teachers, and parents. It is based on the premise that one's education begins with discipline and ends with self discipline. Basic to this premise is the belief that effective learning situations can best be provided and positive behavioral patterns enforced when acceptable behavioral patterns and their consequences are outlined, communicated and understood by students, parents, and school personnel. This code of student conduct is age and grade appropriate for a positive environment.

Discipline shall be administered fairly, equitably, and based on careful assessment of the circumstances of each case. Factors to be considered shall include, but not limited to:

- 1.) The seriousness of the offense.
- 2.) The student's age.
- 3.) The frequency of misconduct.
- 4.) The student's attitude.
- 5.) The potential effect of the misconduct on the school environment.

## **PROHIBITED CONDUCT**

Students and staff require a safe and orderly learning environment that is conducive to high student achievement. Certain student behaviors are unacceptable in such an environment and are hereby prohibited by the Board. Prohibited behaviors include, but shall not be limited to the following:

1. Disrespect for school employees and failing to comply with their reasonable directions or otherwise demonstrating insubordination;
2. Disruptive behavior that interferes with orderly school operations;
3. Willfully and intentionally assaulting or threatening to assault or physically abusing any student or school employee;
4. Possession of any weapon that can reasonably be considered capable of causing bodily harm to another individual;
5. Possession or use of tobacco in any form on any property owned or leased by any public school;
6. Willfully or intentionally damaging, destroying, or stealing school property;
7. Unauthorized use of any electronic devices or communication devices on the school campus during normal school hours unless specifically exempted by the administration for health or other compelling reasons;
8. Possession, selling, distributing, or being under the influence of an alcoholic beverage, any illegal drug, unauthorized inhalants, or the inappropriate use or sharing of prescription or over the counter drugs, or other intoxicants, or anything represented to be a drug;
9. Sharing, diverting, transferring, applying to others (such as needles or lancets), or in any way misusing medication or any medical supplies in their possession;
10. Inappropriate public displays of affection;

11. Cheating, copying, or claiming another person's work to be his/her own;
12. Gambling;
13. Inappropriate student dress;
14. Use of vulgar, profane, or obscene language or gestures;
15. Truancy;
16. Excessive tardiness;
17. Engaging in behavior designed to taunt, degrade, or ridicule another person on the basis of race, ethnicity, national origin, sex, or disability;
18. Possess, view, distribute or electronically transmit sexually explicit or vulgar images or representations, whether electronically, on a data storage device, or in hard copy form;
19. Hazing, or aiding in the hazing of another student;
20. Gangs or gang-related activities, including belonging to secret societies of any kind, are forbidden on school property. Gang insignias, clothing, "throwing signs" or other gestures associated with gangs are prohibited;
21. Sexual harassment;
22. Bullying
23. Operating a vehicle on school grounds while using a wireless communication device ; and
24. Theft of another individual's personal property.

The Board directs each school in the district to develop implementation regulations for prohibited student conduct consistent with applicable Board policy, State and Federal laws, and judicial decisions.

## **BULLYING**

Respect for the dignity of others is a cornerstone of civil society. Bullying creates an atmosphere of fear and intimidation, robs a person of his/her dignity, detracts from the safe environment necessary to promote student learning, and will not be tolerated by the Board of Directors. Students who bully another person shall be held accountable for their actions whether they occur on school equipment or property; off school property at a school sponsored or approved function, activity, or event; going to or from school or a school activity in a school vehicle or school bus; or at designated school bus stops.

A school principal, or designee, who receives a credible report or complaint of bullying shall promptly investigate the complaint or report and make a record of the investigation and any action taken as a result of the investigation.

### **Definitions:**

"Attribute" means an actual or perceived personal characteristic including without limitation race, color, religion, ancestry, national origin, socioeconomic status, academic status, disability, gender, gender identity, physical appearance, health condition, or sexual orientation;

"Bullying" means the intentional harassment, intimidation, humiliation, ridicule, defamation, or threat or incitement of violence by a student against another student or public school employee by a written, verbal, electronic, or physical act that may address an attribute of the other student,



public school employee, or person with whom the other student or public school employee is associated and that causes or creates actual or reasonably foreseeable:

- Physical harm to a public school employee or student or damage to the public school employee's or student's property;
- Substantial interference with a student's education or with a public school employee's role in education;
- A hostile educational environment for one (1) or more students or public school employees due to the severity, persistence, or pervasiveness of the act; or
- Substantial disruption of the orderly operation of the school or educational environment;

“Electronic act” means without limitation a communication or image transmitted by means of an electronic device, including without limitation a telephone, wireless phone or other wireless communications device, computer, or pager that results in the substantial disruption of the orderly operation of the school or educational environment.

Electronic acts of bullying are prohibited whether or not the electronic act originated on school property or with school equipment, if the electronic act is directed specifically at students or school personnel and maliciously intended for the purpose of disrupting school, and has a high likelihood of succeeding in that purpose;

“Harassment” means a pattern of unwelcome verbal or physical conduct relating to another person's constitutionally or statutorily protected status that causes, or reasonably should be expected to cause, substantial interference with the other's performance in the school environment; and

“Substantial disruption” means without limitation that any one or more of the following occur as a result of the bullying:

- Necessary cessation of instruction or educational activities;
- Inability of students or educational staff to focus on learning or function as an educational unit because of a hostile environment;
- Severe or repetitive disciplinary measures are needed in the classroom or during educational activities; or
- Exhibition of other behaviors by students or educational staff that substantially interfere with the learning environment.

Cyberbullying of School Employees is expressly prohibited and includes, but is not limited to:

- a. Building a fake profile or website of the employee;
- b. Posting or encouraging others to post on the Internet private, personal, or sexual information pertaining to a school employee;
- c. Posting an original or edited image of the school employee on the Internet;
- d. Accessing, altering, or erasing any computer network, computer data program, or computer software, including breaking into a password-protected account or stealing or otherwise accessing passwords of a school employee; making repeated, continuing, or sustained electronic communications, including electronic mail or transmission, to a school employee;
- e. Making, or causing to be made, and disseminating an unauthorized copy of data pertaining to a school employee in any form, including without limitation the printed or electronic form of

computer data, computer programs, or computer software residing in, communicated by, or produced by a computer or computer network;

- f. Signing up a school employee for a pornographic Internet site; or
- g. Without authorization of the school employee, signing up a school employee for electronic mailing lists or to receive junk electronic messages and instant messages.

Examples of "Bullying" may also include but are not limited to a pattern of behavior involving one or more of the following:

1. Sarcastic comments "compliments" about another student's personal appearance or actual or perceived attributes,
2. Pointed questions intended to embarrass or humiliate,
3. Mocking, taunting or belittling,
4. Non-verbal threats and/or intimidation such as "fronting" or "chesting" a person,
5. Demeaning humor relating to a student's actual or perceived attributes,
6. Blackmail, extortion, demands for protection money or other involuntary donations or loans,
7. Blocking access to school property or facilities,
8. Deliberate physical contact or injury to person or property,
9. Stealing or hiding books or belongings,
10. Threats of harm to student(s), possessions, or others,
11. Sexual harassment, as governed by policy 4.27, is also a form of bullying, and/or
12. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether the student self-identifies as homosexual or transgender (Examples: "Slut", "You are so gay.", "Fag", "Queer").

Students are encouraged to report behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, to their teacher or the building principal. The report may be made anonymously. Teachers and other school employees who have witnessed, or are reliably informed that, a student has been a victim of behavior they consider to be bullying, including a single action which if allowed to continue would constitute bullying, shall report the incident(s) to the principal, or designee. Parents or legal guardians may submit written reports of incidents they feel constitute bullying, or if allowed to continue would constitute bullying, to the principal, or designee. The principal, or designee, shall be responsible for investigating the incident(s) to determine if disciplinary action is warranted.

The person or persons reporting behavior they consider to be bullying shall not be subject to retaliation or reprisal in any form.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion. In determining the appropriate disciplinary action, consideration may be given to other violations of the student handbook which may have simultaneously occurred. In addition to any disciplinary actions, the District shall take appropriate steps to remedy the effects resulting from bullying.

Notice of what constitutes bullying, the District's prohibition against bullying, and the consequences for students who bully shall be conspicuously posted in every classroom, cafeteria,

restroom, gymnasium, auditorium, and school bus. Parents, students, school volunteers, and employees shall be given copies of the notice.

Copies of this policy shall be available upon request.

### **ACTIVATION OF FIRE ALARM BY A STUDENT/BOMB THREAT**

Consequences: Suspension and/or criminal charges may be filed for turning in a false alarm.

### **WEAPONS**

No student shall possess a weapon, display what appears to be a weapon, or threaten to use a weapon while in school, on or about school property, before or after school, in attendance at school or any school sponsored activity, en route to or from school or any school sponsored activity, off the school grounds at any school bus stop, or at any school sponsored activity or event. Military personnel, such as ROTC cadets, acting in the course of their official duties are exempted.

A weapon is defined as any firearm, knife, razor, ice pick, dirk, box cutter, numchucks, pepper spray mace or other noxious spray, explosive; Taser or other instrument that uses electrical current to cause neuromuscular incapacitation; or any other instrument or substance capable of causing bodily harm. For the purposes of this policy, "firearm" means any device designed, made, or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.

Possession means having a weapon, as defined in this policy, on the student's body or in an area under his/her control. If, a student discovers prior to any questioning or search by any school personnel that he/she has accidentally brought a weapon, other than a firearm, to school on his/her person, in a book bag/purse, or in his/her vehicle on school grounds, and the student informs the principal or a staff person immediately, the student will not be considered to be in possession of a weapon unless it is a firearm. The weapon shall be confiscated and held in the office until such time as the student's parent/legal guardian shall pick up the weapon from the school's office. Repeated offenses are unacceptable and shall be grounds for disciplinary action against the student as otherwise provided for in this policy.

Except as permitted in this policy, students found to be in possession on the school campus of a firearm shall be recommended for expulsion for a period of not less than one year. The superintendent shall have the discretion to modify such expulsion recommendation for a student on a case-by-case basis. Parents or legal guardians of students expelled under this policy shall be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. Parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to readmitting the students. Parents or legal guardians of a student enrolling from another school after the expiration of an expulsion period for a firearm policy violation shall also be given a copy of the current laws regarding the possibility of parental responsibility for allowing a child to possess a firearm on school property. The parents or legal guardians shall sign a statement acknowledging that they have read and understand said laws prior to the student being enrolled in school.

The mandatory expulsion requirement for possession of a firearm does not apply to a firearm brought to school for the purposes of participating in activities approved and authorized by the district that include the use of firearms. Such activities may include ROTC programs, hunting safety or military education, or before or after-school hunting or rifle clubs. Firearms brought to school for such purposes shall be brought to the school employee designated to receive such firearms. The designated employee shall store the firearms in a secure location until they are removed for use in the approved activity.

The district shall report any student who brings a firearm to school to the criminal justice system or juvenile delinquency system by notifying local law enforcement.

### **GANGS AND GANG ACTIVITY**

The Board is committed to ensuring a safe school environment conducive to promoting a learning environment where students and staff can excel. An orderly environment cannot exist where unlawful acts occur causing fear, intimidation, or physical harm to students or school staff. Gangs and their activities create such an atmosphere and shall not be allowed on school grounds or at school functions.

The following actions are prohibited by students on school property or at school functions:

1. Wearing or possessing any clothing, bandanas, jewelry, symbol, or other sign associated with membership in, or representative of, any gang;
2. Engaging in any verbal or nonverbal act such as throwing signs, gestures, or handshakes representative of membership in any gang;
3. Recruiting, soliciting, or encouraging any person through duress or intimidation to become or remain a member of any gang; and/or;
4. Extorting payment from any individual in return for protection from harm from any gang.

Students found to be in violation of this policy shall be subject to disciplinary action up to and including expulsion.

Students arrested for gang related activities occurring off school grounds shall be subject to the same disciplinary actions as if they had occurred on school grounds.

### **STUDENT SEXUAL HARASSMENT**

The Foreman School District is committed to providing an academic environment that treats all students with respect and dignity. Student achievement is best attained in an atmosphere of equal educational opportunity that is free of discrimination. Sexual harassment is a form of discrimination that undermines the integrity of the educational environment and will not be tolerated.

The District believes the best policy to create an educational environment free from sexual harassment is prevention; therefore, the District shall provide informational materials and training to students, parents/legal guardians/other responsible adults, and employees on sexual harassment. The informational materials and training on sexual harassment shall be age appropriate and, when necessary, provided in a language other than English or in an accessible format. The informational materials and training shall include, but are not limited to: the nature

of sexual harassment; the District's written grievance procedures for complaints of sexual harassment;<sup>1</sup> that the district does not tolerate sexual harassment; that students can report inappropriate behavior of a sexual nature without fear of adverse consequences; the redress that is available to the victim of sexual harassment;<sup>2</sup> and the potential discipline for perpetrating sexual harassment.

"Sexual harassment" means conduct that is:

1. Of a sexual nature, including, but not limited to:
  - a. Sexual advances;
  - b. Requests for sexual favors;
  - c. Sexual violence; or
  - d. Other personally offensive verbal, visual, or physical conduct of a sexual nature;
2. Unwelcome; and
3. denies or limits a student's ability to participate in or benefit from any of the District's educational programs or activities through any or all of the following methods:
  - a. Submission to the conduct is made, either explicitly or implicitly, a term or condition of an individual's education;
  - b. Submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting that individual; and/or
  - c. Such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creates an intimidating, hostile, or offensive academic environment.

The terms "intimidating," "hostile," and "offensive" include conduct of a sexual nature that has the effect of humiliation or embarrassment and is sufficiently severe, persistent, or pervasive that it limits the student's ability to participate in, or benefit from, an educational program or activity.

Within the educational environment, sexual harassment is prohibited between any of the following: students; employees and students; and non-employees and students.

Actionable sexual harassment is generally established when an individual is exposed to a pattern of objectionable behaviors or when a single, serious act is committed. What is, or is not, sexual harassment will depend upon all of the surrounding circumstances and may occur regardless of the sex(es) of the individuals involved. Depending upon such circumstances, examples of sexual harassment include, but are not limited to:

- Making sexual propositions or pressuring for sexual activities;
- Unwelcome touching;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures, or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or crude jokes;
- Spreading rumors related to a person's alleged sexual activities;
- Discussions of sexual experiences;
- Rating other students as to sexual activity or performance;
- Circulating or showing e-mails or Web sites of a sexual nature;
- Intimidation by words, actions, insults, or name calling; and

- Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct or is homosexual, regardless of whether or not the student self-identifies as homosexual or transgender.

Students who believe they have been subjected to sexual harassment, or the parent/legal guardian/other responsible adult of a student who believes their student has been subjected to sexual harassment, are encouraged to file a complaint by contacting a counselor, teacher, Title IX coordinator, or administrator who will provide assistance on the complaint process. Under no circumstances shall a student be required to first report allegations of sexual harassment to a school contact person if that person is the individual who is accused of the harassment.

Complaints will be treated in a confidential manner to the extent possible. Limited disclosure may be provided to: individuals who are responsible for handling the District's investigation to the extent necessary to complete a thorough investigation; the extent necessary to submit a report to the child maltreatment hotline; the Professional Licensure Standards Board for complaints alleging sexual harassment by an employee towards a student; or the extent necessary to provide the individual accused in the complaint due process during the investigation and disciplinary processes. Individuals who file a complaint have the right to request that the individual accused of sexual harassment not be informed of the name of the accuser; however, individuals should be aware that making such a request may substantially limit the District's ability to investigate the complaint and may make it impossible for the District to discipline the accused.<sup>3</sup>

Students, or the parents/legal guardians/ other responsible adult of a student, who file a complaint of sexual harassment shall not be subjected to retaliation or reprisal in any form, including threats, intimidation, coercion, or discrimination. The District shall take steps to prevent retaliation and shall take immediate action if any form of retaliation occurs regardless of whether the retaliatory acts are by District officials, students, or third parties.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who filed the complaint:

- The final determination of the investigation;
- Remedies the District will make available to the student; and
- The sanctions, if any, imposed on the alleged harasser relevant to the student.

Following the completion of an investigation of a complaint, the District will inform the parents/legal guardian/other responsible adult of the student, or the student if over the age of eighteen (18), who was accused of sexual harassment in the complaint:

- The final determination of the investigation; and
- The sanctions, if any, the District intends to impose on the student.

It shall be a violation of this policy for any student to be subjected to, or to subject another person to, sexual harassment. Following an investigation, any student who is found by the evidence to more likely than not have engaged in sexual harassment will be subject to disciplinary action up to, and including, expulsion.

Students who knowingly fabricate allegations of sexual harassment shall be subject to disciplinary action up to and including expulsion.

Individuals who withhold information, purposely provide inaccurate facts, or otherwise hinder an investigation of sexual harassment shall be subject to disciplinary action up to and including expulsion.

### **TOBACCO AND TOBACCO PRODUCTS**

Smoking or use of tobacco or products containing tobacco in any form (including, but not limited to, cigarettes, cigars, chewing tobacco, and snuff) in or on any real property owned or leased by a District school, including school buses owned or leased by the District, is prohibited. Students who violate this policy may be subject to legal proceedings in addition to student disciplinary measures.

With the exception of recognized tobacco cessation products, this policy's prohibition includes any tobacco or nicotine delivery system or product. Specifically, the prohibition includes any product that is manufactured, distributed, marketed, or sold as e-cigarettes, e-cigars, e-pips, or under any other name or descriptor.

### **DRUGS AND ALCOHOL**

An orderly and safe school environment that is conducive to promoting student achievement requires a student population free from the deleterious effects of alcohol and drugs. Their use is illegal, disruptive to the educational environment, and diminishes the capacity of students to learn and function properly in our schools.

Therefore, no student in the Foreman School District shall possess, attempt to possess, consume, use, distribute, sell, buy, attempt to sell, attempt to buy, give to any person, or be under the influence of any substance as defined in this policy, or what the student represents or believes to be any substance as defined in this policy. This policy applies to any student who; is on or about school property; is in attendance at school or any school sponsored activity; has left the school campus for any reason and returns to the campus; is en route to or from school or any school sponsored activity.

Prohibited substances shall include, but are not limited to, alcohol, or any alcoholic beverage, inhalants or any ingestible matter that alter a student's ability to act, think, or respond, LSD, or any other hallucinogen, marijuana, cocaine, heroin, or any other narcotic drug, PCP, amphetamines, steroids, "designer drugs," look-alike drugs, or any controlled substance.

Selling, distributing, or attempting to sell or distribute, or using over-the-counter or prescription drugs not in accordance with the recommended dosage is prohibited.

### **GROUP HEARINGS FOR SUSPENSION OR EXPULSION**

When two or more students are charged with violating the same rule and have acted in concert and the facts are basically the same for all such students, a single hearing may be conducted for them, if the president of the board believes the following:

- 1) A single hearing will not likely result in confusion
- 2) No student will have his/her interest substantially prejudiced by the group hearing

### **DISCIPLINE OF HANDICAPPED STUDENTS**

In the establishment of the discipline policies the Foreman School recognizes that in case of diagnosed handicapped students, the provisions the Individuals with Disabilities Education Improvement Act of 2004 will prevail. In those cases, required adjustments in the policies will be made in line with the student's handicapping condition.

### **K-6 STUDENTS RIDING THE SCHOOL BUS TO AND FROM SCHOOL**

All students will be assigned a seat. The student will stay in his/her assigned seat all the way to school and all the way home on all school activities. The bus driver may change or reassign a seat for disciplinary reasons. Students will not be allowed to stand except for loading and unloading. Students will NOT be permitted to ride another bus without written permission from their parent approved by the building principal. Any action such as loud talking, throwing of objects or actions that may distract the bus driver will result in:

**1st Offense** Detention

**2nd Offense** 3 Days Suspension from Riding the Bus

**3rd Offense** 5 Days Suspension From Riding the Bus

**4th Offense** Loss of Privileges of Riding the Bus for the Remainder of the Year

### **RULES PERTAINING TO STUDENT CONDUCT WILL APPLY TO RIDING THE BUS.**

**PASSING A STOPPED SCHOOL BUS WHICH IS RECEIVING OR DISCHARGING PASSENGERS IS A MISDEMEANOR AND INCREASES THE TIME THAT A DRIVER'S LICENSE MAY BE SUSPENDED FROM NINETY DAYS TO A MAXIMUM OF SIX MONTHS. (Act 1516 of 1999)**

### **BUS TRANSPORTATION POLICIES**

State transportation regulations must be observed at all times. In addition, because of dangers or inconveniences involved, the following local regulations are in effect.

1. Students must report directly to the loading zone, located on the NORTH side of the building.
2. Students are expected to behave properly while riding a bus. Any one not behaving may have his/her privileges revoked and/or be disciplined by the principal.
3. No smoking or dipping is allowed on the bus.
4. Students must remain seated while the bus is in motion. Students are not to put any part of their anatomy out of the window of the bus.



5. Students are not to deface the bus or any school property.
6. Students are not to ask the driver to be let off at places other than the regular stop.
7. Visitors are not allowed on the bus unless an emergency exists.
8. Students are to load and unload the bus as the driver instructs.
9. ACT 814 makes it a misdemeanor for students or adults to threaten or use abusive language toward a school bus driver in the presence of students.

This is not intended to cover all of the “do’s” and “don’ts” of school bus safety, but is a very specific guide.

The driver may find it necessary to interpret these policies in light of his/her own bus needs.

#### **BEHAVIOR NOT COVERED**

The school district reserves the right to punish behavior which is not conducive to good order and discipline in the schools.

#### **EXCESSIVE OFFICE REFERRALS**

The school district reserves the right to consider the number of office referrals any student has when determining punishment. Excessive office referrals shall be punished at an administrator’s discretion.